



Rep. John D. Cavaletto

Filed: 3/21/2012

09700HB4809ham001

LRB097 17179 PJG 67003 a

1 AMENDMENT TO HOUSE BILL 4809

2 AMENDMENT NO. _____. Amend House Bill 4809 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Facilities Closure Act is amended by
5 changing Section 5-10 as follows:

6 (30 ILCS 608/5-10)

7 Sec. 5-10. Facility closure process.

8 (a) Before a State facility may be closed, the State
9 executive branch officer with jurisdiction over the facility
10 shall file notice of the proposed closure with the Commission.
11 The notice must be filed within 2 days after the first public
12 announcement of any planned or proposed closure. Within 10 days
13 after it receives notice of the proposed closure, the
14 Commission, in its discretion, may require the State executive
15 branch officer with jurisdiction over the facility to file a
16 recommendation for the closure of the facility with the

1 Commission. In the case of a proposed closure of: (i) a prison,
2 youth center, work camp, or work release center operated by the
3 Department of Corrections; (ii) a school, mental health center,
4 or center for the developmentally disabled operated by the
5 Department of Human Services; or (iii) a residential facility
6 operated by the Department of Veterans' Affairs, the Commission
7 must require the executive branch officers to file a
8 recommendation for closure. The recommendation must be filed
9 within 30 days after the Commission delivers the request for
10 recommendation to the State executive branch officer. The
11 recommendation must include, but is not limited to, the
12 following:

13 (1) the location and identity of the State facility
14 proposed to be closed;

15 (2) the number of employees for which the State
16 facility is the primary stationary work location and the
17 effect of the closure of the facility on those employees;

18 (3) the location or locations to which the functions
19 and employees of the State facility would be moved;

20 (4) the availability and condition of land and
21 facilities at both the existing location and any potential
22 locations;

23 (5) the ability to accommodate the functions and
24 employees at the existing and at any potential locations;

25 (6) the cost of operations of the State facility and at
26 any potential locations and any other related budgetary

1 impacts;

2 (7) the economic impact on existing communities in the
3 vicinity of the State facility and any potential facility;

4 (8) the ability of the existing and any potential
5 community's infrastructure to support the functions and
6 employees;

7 (9) the impact on State services delivered at the
8 existing location, in direct relation to the State services
9 expected to be delivered at any potential locations; and

10 (10) the environmental impact, including the impact of
11 costs related to potential environmental restoration,
12 waste management, and environmental compliance activities.

13 (b) If a recommendation is required by the Commission, a
14 30-day public comment period must follow the filing of the
15 recommendation. The Commission, in its discretion, may conduct
16 one or more public hearings on the recommendation. In the case
17 of a proposed closure of: (i) a prison, youth center, work
18 camp, or work release center operated by the Department of
19 Corrections; (ii) a school, mental health center, or center for
20 the developmentally disabled operated by the Department of
21 Human Services; or (iii) a residential facility operated by the
22 Department of Veterans' Affairs, the Commission must conduct
23 one or more public hearings on the recommendation. Public
24 hearings conducted by the Commission shall be conducted no
25 later than 35 days after the filing of the recommendation. At
26 least one of the public hearings on the recommendation shall be

1 held at a convenient location within 25 miles of the facility
2 for which closure is recommended. The Commission shall provide
3 reasonable notice of the comment period and of any public
4 hearings to the public and to units of local government and
5 school districts that are located within 25 miles of the
6 facility.

7 (c) Within 50 days after the State executive branch officer
8 files the required recommendation, the Commission shall issue
9 an advisory opinion on that recommendation. The Commission
10 shall file the advisory opinion with the appropriate State
11 executive branch officer, the Governor, the General Assembly,
12 and the Index Department of the Office of the Secretary of
13 State and shall make copies of the advisory opinion available
14 to the public upon request.

15 (c-5) After receipt of the advisory opinion filed by the
16 Commission, the General Assembly shall vote by joint resolution
17 to uphold or overturn the opinion.

18 (d) No action may be taken to implement the recommendation
19 for closure of a State facility until the General Assembly has
20 taken final action on the advisory opinion filed by the
21 Commission by adopting a joint resolution under subsection
22 (c-5) affirming the recommendation for closure 50 days after
23 the filing of any required recommendation.

24 (e) The requirements of this Section do not apply if all of
25 the functions and employees of a State facility are relocated
26 to another State facility that is within 10 miles of the closed

1 facility.

2 (Source: P.A. 93-839, eff. 7-30-04; 94-688, eff. 1-1-06.)".